

1 thing to Montanans, to many Montanans, when it went in. It
2 continues to create some challenges and barriers. It may
3 provide some good to some; but it creates probably more
4 problems, I think, than good.

5 I think it's an FCC issue. I see some bobbing
6 heads here. Is that your question, Gary?

7 COMMISSIONER FELAND: Well, yeah. I'd like to know
8 what's it going to take to get rid of it.

9 MR. HERBERT: That's a question I don't know the answer
10 to. Do you, Lynn? I mean, Commissioner Rowe might have a
11 better shot at that.

12 COMMISSIONER ROWE: Correct me, if I'm wrong, but there
13 are two ways to get at that. First, at a macro level.
14 Section 271 of the Telecommunications Act sets out a process
15 to get all the Bell operating companies out of the LATA
16 restrictions, and that's one of the goals of the regional
17 project.

18 My understanding is that in specific situations the
19 FCC does have authority to waive LATA boundaries, and it's
20 been suggested to me informally that in some cases an
21 intrastate LATA boundary might be analyzed differently than
22 an interstate LATA boundary. Correct me if I'm wrong. That
23 wasn't at your office, so --

24 MS. HOFFNAR: Yeah, you're beyond my expertise.

25 COMMISSIONER ROWE: That was with somebody in the

1 office of plans and policies. But those are the basic ways
2 to get at it.

3 AUDIENCE: I have a question for the Public -- I have a
4 question, I think it's for the Public Service Commission,
5 and that is in regard to the FCC ruling on 671. What role
6 does the FCC take as opposed to what role does the Public
7 Service Commission take in making -- ensuring that U.S. West
8 is -- in our area U.S. West is complying with those rulings
9 so that competition can thrive in this market?

10 COMMISSIONER ROWE: The question again follows up on
11 Commissioner Feland's question in terms of what's the role
12 of the State Public Service Commission in implementing
13 Section 271. Maybe we can go back and put up slides I
14 didn't put up.

15 Section 271, again, is the means for the Bell
16 operating company, U.S. West, to get out of the antitrust
17 restrictions that were imposed actually by a federal court
18 in the 1980s. In the 1996 act, it created the vehicle to do
19 that. What the act says is the FCC must decide on the Bell
20 operating company application, it has to do it within 90
21 days, and it has to consult with the United States
22 Department of Justice and give substantial deference to the
23 Department of Justice recommendation. It also has to
24 consult with the state Public Service Commission.

25 The tight timelines and limited resources at the

1 federal level have made two very important roles for the
2 state commission. The first is developing a record, and
3 that's a massive project.

4 The second, and I think the more productive, is
5 solving problems; and there are a couple of ways that states
6 have advanced to try to solve problems. One is the use of
7 collaboratives between parties, and the other is third-party
8 testing of the technical systems that are required for local
9 competition.

10 What we've done in the west, and actually the
11 Montana commission proposed this, was that the U.S. West
12 states convene an open multiparty, multistate collaborative
13 process, and we're well into that process. It's all web
14 based. Actually, those of you on the competitive side in
15 Montana, it would be very helpful to have you participate in
16 that process.

17 What's happening right now is -- and our staff here,
18 by the way, are very, very active in leading that process.
19 We worked through a series of performance measures. We've
20 put out the contracts for bid for the third-party tester and
21 a company to generate -- a pseudo C-LEC company to generate
22 the test and an auditor. Hopefully, we'll be signing
23 contracts in the next few weeks for that.

24 We hope this will be a multistate process -- Jay is
25 telling me to stop -- to deal with the post-entry issues

1 once the Bell company gets in, and there may be -- we hope
2 there will be some state-to-state coordination on other
3 specific parts of the checklist.

4 I'm really, really pleased and proud of the way
5 both the competitors and U.S. West have worked together
6 developing the test. And we're not anywhere near actually
7 testing anything, that comes in the future, so I'm not
8 trying to endorse or to say that the systems that are in
9 place now are working. But the results in these
10 collaboratives has been -- where there is a disagreement
11 over a performance measure, generally the outcome is that
12 the collaborative has agreed on the high end of the
13 reasonable range, but that's been necessary to move the
14 process forward. And I'll talk to you even longer later on
15 this point.

16 Can we do -- Jay is going to yell at me. Can we
17 go around the other sites one more time for questions? Any
18 other questions here?

19 AUDIENCE: I was wondering if the PSC or one of its --
20 or an ad hoc committee has done any projections looking at
21 what E-Commerce -- Montana-generated E-Commerce is going to
22 mean to the state over the next, say, five years, the next
23 decade, and if any plans are in place to engender that to
24 happen.

25 COMMISSIONER ROWE: I thought we were supposed to be

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1 asking the questions.

2 COMMISSIONER THOMPSON: I don't know. They got you,
3 Bob.

4 COMMISSIONER ROWE: The Public Service Commission
5 hasn't done that. I have access to other reports that have.
6 The Department of Commerce -- I don't know if Tony can speak
7 for the Department of Commerce or not, but they have a
8 number of technology-oriented task forces in place.

9 There is a recognition that E-Commerce is
10 particularly important in a rural state in a number of ways:
11 business to customer, and we're all aware of examples of a
12 Vann.com; business to business; and then business operations
13 within a business, whether it's inventory control or
14 whatever. Probably all of those are as or more important in
15 a rural area than in an urban area.

16 There are economists who look at all this and say
17 that we really haven't -- apart from the narrow, high-tech
18 sector we haven't seen the kind of productivity and other
19 benefits that are being promised to us. There are
20 economists who debate that, but I think the general sense is
21 that it's significant now, but not nearly as significant as
22 it ought to be.

23 MR. HERBERT: Lynn might care to address this.

24 DR. CHURCHILL: One of the other hats I wear -- Peter
25 Lowery, he appointed me -- I guess "volunteered" me for is

1 the best word for it -- is I am the Director of the Public
2 Sector of Relations for the Information Technology
3 Development Authority within the Department of Commerce; and
4 in that context there is a plan that we're currently working
5 on, the Montana 2000 Plan, for economic development that is
6 looking at high-tech industries in primarily three areas:
7 one is aerospace, one is environmental technology, and one
8 is IP.

9 And in that respect there has been quite a bit of
10 work. There's been several meetings with people from around
11 the state looking at the kinds of potential for corporations
12 coming into Montana. There's been a fairly aggressive plan
13 in terms of coming out of the Department of Commerce to work
14 on that. I think a lot of that will come forward in the
15 meetings this coming weekend in Great Falls. And if you
16 aren't planning on going to that, if you have a chance to
17 make it to those meetings, I strongly encourage you to go.

18 COMMISSIONER ROWE: One last pass through the remote
19 locations. Billings, any questions from Billings?

20 MS. ARMSTRONG: Yes, Bob, this is Thelma Armstrong from
21 Billings. Can you hear me?

22 COMMISSIONER ROWE: A little bit louder, please.

23 MS. ARMSTRONG: This is Thelma Armstrong from Billings.

24 COMMISSIONER ROWE: Hi, Thelma.

25 MS. ARMSTRONG: Hi. How are you?

1 COMMISSIONER ROWE: Good.

2 MS. ARMSTRONG: First some technical feedback. They
3 may have a short in your microphone. You are going in and
4 out, and at times it is very difficult to hear what you-all
5 are saying, so you may just want to have somebody look at
6 that on your break perhaps.

7 I do have a question for Colonel McCabe. I know
8 early on in the national process there was lots of questions
9 with our rural communities about potential private-public
10 partnerships, and a fair amount of, I thought, excitement
11 about the potential of those relationships. I know that
12 that has not come to fruition as well as we had hoped.

13 I'm curious what you can -- what you've learned
14 because I think we can learn from your experience, and any
15 pearls of wisdom as we embark on other endeavors, kind of
16 how we can kind of approach this successfully and move
17 forward with public-private consortiums.

18 COLONEL MCCABE: Well, the first comment I'd make is
19 that one of the constraints we had with our project is that
20 everything that we did in the shared use environment had to
21 be self-sustaining. That means that initially, as you talk
22 about the investment in equipment, you have to figure out
23 how you're going to refresh it in anywhere from three years
24 to seven years, depending on the nature of the equipment.
25 That was the daunting task for most of the communities in

1 accepting that responsibility.

2 The second issue in terms of distance learning is
3 that there was no central scheduling location in the state
4 of Montana, and they were all very much challenged by the
5 requirements of trying to schedule. I think that that would
6 be a serious consideration.

7 The third was when you talk about how are you going
8 to get the content and negotiate for it or talk about where
9 it comes from; and again, that was another issue. I believe
10 those are state considerations that need to be looked at and
11 how we can help those communities.

12 The other factor that I would put into it, as I've
13 said before, I really believe that we need to have some
14 economic development plans or training going out to
15 communities that are considering this so they can really put
16 together a plan on what it is they need to do to stand up,
17 some sort of a cooperative effort.

18 That's what we've learned about it. We still
19 believe that our project has the opportunities in various
20 communities for partnering to a cure in the future as the
21 community matures and as we have an operational system they
22 can really see work.

23 COMMISSIONER ROWE: Colonel McCabe, since you have the
24 microphone, why don't you ask Glasgow if they have any
25 questions.

1 COLONEL MCCABE: Glasgow, do you have any questions?

2 GLASGOW: Glasgow doesn't have any questions at this
3 time.

4 COMMISSIONER ROWE: Pablo?

5 MR. HERBERT: Pablo, do you have any questions?

6 PABLO: No questions.

7 COMMISSIONER ROWE: Cheyenne? Cheyenne, any questions?

8 MR. YOUNG: Yeah, Cheyenne has a question.

9 COMMISSIONER ROWE: Go ahead.

10 MR. YOUNG: Can you hear?

11 COMMISSIONER ROWE: Great.

12 MR. YOUNG: Yeah, my name is Randy Young. I'm from
13 Minnesota. I'm with the Minnesota Association for Rural
14 Telecommunications. I have a question for Commissioner
15 Rowe, and that has to deal with the state's role as well as
16 the regulator's role in advancing and promoting advanced
17 telecommunications technology in the rural community.

18 We've got a situation in Minnesota I don't think is
19 unlike Montana, where the independent telephone companies
20 are doing a relatively good job of getting advanced
21 technologies out to their community, but our administration
22 seems hell bent on looking at competition as being a
23 regulatory goal rather than the deployment of advanced
24 technology to the point of even forcing competition in
25 communities that probably can't support more than one

1 provider.

2 What do you see, Commissioner Rowe, as the
3 regulator's role in deploying advanced -- or facilitating
4 the deployment of advanced technology vis-a-vis facilitating
5 or promoting competition?

6 COMMISSIONER ROWE: If you send me an e-mail, I'll send
7 you an article. Seriously. I think there is a role.
8 "Economic development" sometimes is a phrase that is used
9 not very precisely, and sometimes there's not much bang for
10 the economic development buck.

11 I ran through at the start a number of tools. I
12 think competition is a tool. As you say, it can play out in
13 different -- in very different ways. I'm thinking of
14 examples such as the interests of competitive providers in
15 providing DSL services, and then a very healthy competitive
16 response from the so-called incumbents. I think that's a
17 good example of competition.

18 In the next panel, I think we'll hear some more
19 examples of competition providing other facilities,
20 potentially even, for example, collocation.

21 Universal service, direct public support obviously
22 has a role. And again, the Congress, and particularly our
23 members of Congress, when they worked on the act recognized
24 that. And one of the reasons I think that small companies
25 do so -- so well often is that they have been supported

1 appropriately through rural utility service programs,
2 through MECCA pooling, that you're familiar with; through
3 direct high-cost fund support. I think that's an
4 appropriate role.

5 I think there are a lot of new things that I would
6 put in the economic development, community development hat,
7 where folks like us need to get out and do more work at the
8 community level. And as I said, Colonel McCabe has become,
9 whether he likes it or not, kind of a community development,
10 economic development expert, and I would pretty much endorse
11 everything that he had to say.

12 Something we could do is to help support a local
13 effort through providing expertise, through the convening
14 function that we have through the ability to pull people
15 together, and a lot of times that's more interesting and
16 rewarding than holding hearings, for example.

17 Commissioner McCaffrey has a response for you.

18 COMMISSIONER MCCAFFREY: No, I'm just --

19 COMMISSIONER ROWE: She's just waving us off for time.
20 But send me an e-mail. I'd love to talk to you about it.

21 MR. YOUNG: Thank you. I'll do that.

22 COMMISSIONER ROWE: We've gone over our time and
23 outstayed our welcome. I would like you to join me in
24 thanking our panel. They got us off to a great start here.

25 (Off the record.)

1 COMMISSIONER ROWE: I get to introduce once again, Nan
2 Thompson is Chair of the Alaska Commission, is also Chair of
3 the 706 Joint Conference on the state side, has just done a
4 wonderful job. She's great to work with, has seen all parts
5 of the country, and has learned a lot, and also collected
6 quite a few good stories over the last few months.

7 COMMISSIONER THOMPSON: He keeps hinting and trying to
8 get me to tell a snowshoe story. I'm not going to do it,
9 from this forum anyway.

10 I have the pleasure of next introducing the small
11 rural company telephone panelists, and I'm going to use the
12 same format Bob did. I'll first introduce the three
13 gentlemen to my right and ask them introductory questions,
14 then we'll follow up with questions from Bob and I.

15 We always have questions if you don't have any; but
16 if folks from the audience have any, either here or in the
17 other sites, be thinking of them as they speak. We
18 encourage you to participate also.

19 The first panelist is Mike Strand. Mike is from
20 Montana Independent Telecommunications Systems, Inc. Mike
21 is the executive vice president and general counsel for that
22 organization. That organization provides regulatory
23 representation, lobbying services, general business and
24 financial consulting services, and public relations support
25 for rural telephone cooperatives and independent telephone

1 companies in the state. Mr. Strand is also the president of
2 Skyland Technologies, which provides telecommunications
3 infrastructure and competitive telecommunications services
4 in both Montana and North Dakota.

5 Mike has a bachelor's degree from Cornell and a law
6 degree from the University of Washington, a few years after
7 I got mine; and during his eight years in the Montana
8 telecommunications industry, Mike has served on a number of
9 significant policy committees. Those include the Governor's
10 Blue Ribbon Telecommunications Task Force, the 911 Advisory
11 Council, the Universal Access Oversight Committee, the
12 Montana Integrated Network Committee, and the Governor's Y2K
13 Readiness Council. Mike lives in Helena with his wife,
14 Tammy, and their two children.

15 Next on the panel is Ron Warnick, general manager
16 of VisionNet; and thank you again for letting us use this
17 facility today. Ron was born in Great Falls, he lived in
18 rural Montana for most of his life, and combining a strong
19 interest in farming and with Unix system administration, IP
20 networking expertise.

21 In the mid-'80s, he began helping to provide
22 agricultural resources and ag extension and marketing for
23 dial-up bulletin boards and later on the Internet as it
24 became more available to the general public. In the
25 mid-1990s, while he was working as VisionNet's system

1 administrator, he helped provide the first local access --
2 local Internet access to much of rural Montana. Ron helped
3 design, build, and maintain VisionNet's existing statewide
4 ATM network, and he was hired as the general manager just
5 recently in September 1999.

6 And the last panelist is Geoff Feiss. He is the
7 general manager of the Montana Telecommunications
8 Association, which is headquartered in Helena. MTA
9 represents commercial and cooperative local telephone
10 companies and other telecommunications service providers
11 throughout the state. His responsibilities include
12 legislative regulatory affairs, communications, education,
13 training, trade shows, and other valuable added services.

14 Prior to joining MTA in 1998, Geoff was the
15 director of congressional and state relations of the U.S.
16 Telephone Association, USTA, in Washington, D.C., and he's
17 also worked in Michigan for Michigan Bell.

18 He went to U of M, but it may surprise those of you
19 in this room to know it was the University of Maine, not
20 Montana; and his bio says -- and I love this -- he has one
21 wife, four children, and a dog. He was elected trustee of
22 the Helena School Board. So I want to thank the panelists
23 again all for coming.

24 I'll start first with Mr. Strand and ask you, I see
25 from your biography that you represent a rural telephone

1 company trade association, but you're also president of a
2 telecommunications service provider. I'm interested in what
3 you have to say about the challenges and opportunities for
4 deploying broadband services from both of those
5 perspectives.

6 MR. STRAND: Thank you. I guess from the perspective
7 of the association one of the things I'm most impressed with
8 is the ability of our members individually to deploy
9 broadband services, and even more impressed by their
10 willingness to work together and pool their limited
11 resources to deploy broadband services in these highly rural
12 areas in Montana.

13 From a provider standpoint, I'm most impressed with
14 the sheer expense of deploying broadband, the technological
15 complexity of dealing with broadband, and the very difficult
16 situation of choosing between competing technologies in a
17 changing technological environment, particularly when the
18 choice of technologies has a direct impact on your bottom
19 line. If you have \$3M to spend on broadband and you choose
20 the wrong technology and you spend all your money, you're in
21 a real -- real hurt.

22 But I put together a Power Point presentation to
23 talk a little bit about what our companies are doing. You
24 can go ahead and go to the next slide.

25 In the area of fiber construction, the five

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1 companies that I represent in the Montana Independent
2 Telecommunications Systems serve about 38,000 access lines,
3 and we've deployed over 1,100 miles of fiberoptic cable. We
4 are rolling out DSL in our small communities. We intend to
5 have 12 communities with DSL by the end of August of this
6 year. For those of you in Montana and perhaps those of you
7 in Wyoming, just to give you a sense of the size of these
8 communities: Chinook, Malta, Ft. Benton, Harlan, Chester,
9 Big Timber, Glasgow, Wolf Point, Poplar, Highwood, Scobey,
10 and Crow Agency. For those of you who are not familiar with
11 Montana, those range in population from about 400 lines to
12 around 2,000 lines in those communities.

13 We are anticipating rolling out DSL in a minimum of
14 40 additional communities in 2001. We're actually shooting
15 for more like 60, but we don't want to write a check we
16 can't cash.

17 Outside of DSL, of course, we saw the broadband
18 access to the Internet business in the usual way through T-1
19 circuits, 56 kilobyte circuits, 65 kilobyte circuits, and
20 the like. We've also been involved in a number of
21 consortia, and I've just listed their names there. I'll go
22 into more detail in subsequent slides, but one -- Montana
23 Advanced Information Network, or MAIN; VisionNet; and
24 Skyland Technologies.

25 MAIN, again, stands for Montana Advanced

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1 Information Network, is a consortium of ten cooperatives and
2 independent telephone companies in Montana. The
3 independents lease their fiber capacity to MAIN as a central
4 organization, and then MAIN in turn purchases lightweight
5 equipment to offer transport services across the state of
6 Montana, both interstate and intrastate circuits.

7 There is a map of MAIN. I know that particularly
8 you folks in Wyoming may not be able to see much in the way
9 of detail on that, but the bold red line that you see going
10 around the interior or the exterior boundaries of the state
11 of Montana is the MAIN fiber backbone. Those of you here in
12 Montana can see the narrower red lines coming north and
13 south of that backbone. Those are the independent fiber
14 routes throughout the state of Montana and -- go on to the
15 next slide.

16 Another consortium is VisionNet; and, of course,
17 you're sitting in a VisionNet facility right now. This is
18 being broadcast over a VisionNet system. It is made up of
19 five cooperatives: Nemont Telephone Cooperative, Triangle,
20 Northern, 3-Rivers, and Blackfoot. It's an ATM packet
21 network connecting 77, as I understand it, interactive
22 voice, video, and data studios, including this one. It also
23 provides transport services over that ATM network.

24 VisionNet provides peering and network access point
25 services. Their peering equipment has been installed in

1 Billings and North Cut Bank. They have DS3 routes to the
2 Internet backbone from Billings to Denver, going north from
3 North Cut Bank and going west from Missoula. They have
4 interactive studios in Havre at Montana State Northern, at
5 Billings, Bozeman, here of course, Great Falls, all of the
6 tribal colleges, or all but one. I'm not sure.

7 MR. WARNICK: All the tribal colleges.

8 MR. STRAND: All the tribal colleges, and Ron will go
9 into more detail about VisionNet. We serve around 50 K
10 through 12 schools, and we also have corporate and
11 commercial sites in various locations in Montana.

12 That gives you a sense of the -- the colored areas
13 there are the service territories of the independent
14 companies that are members of VisionNet. Again, the bold
15 red lines indicate the VisionNet ATM backbone. The blue
16 lines indicate the network access points to the Internet
17 backbone in the larger metropolitan areas in this region.
18 The next slide.

19 Another organization -- again, I'm president of
20 this organization -- Skyland Technologies in Montana. Our
21 efforts are embodied primarily in what we call a fiber hotel
22 located in Billings, Montana. This is an organization made
23 up of three telephone cooperatives and three electric
24 cooperatives who recognize that we need a special
25 environment for operating telecommunications equipment.

1 You need an uninterruptible power supply, a
2 constant voltage, you need temperature and humidity
3 controls, fire suppression, security, you need to be able to
4 access the networks of other carriers, and you need timing
5 to make sure that your data networks are operating on the
6 same clock.

7 As new technologies are developed, as the
8 telecommunications industry becomes increasingly
9 deregulated, as we're seeing competition grow, more and more
10 telecommunications equipment is going to be necessary as the
11 industries grow. Many smaller companies are simply not
12 prepared to construct the facilities that are necessary to
13 meet these needs, and other service providers may be
14 inclined to come to a place like Billings, Montana, if they
15 weren't faced with the up-front time and expense of
16 constructing facilities to house their telecommunications
17 equipment and get access to the various fiber networks.
18 Other providers simply need a place to meet the various
19 telecommunications networks that do terminate through
20 Montana.

21 Our layout, which is located in Granite Tower, is a
22 ten-story building in downtown Billings. We have a power
23 distribution room, back-up batteries for people's
24 telecommunications and Internet equipment. We have a room
25 where our tenants can meet the various carriers: AT&T, MCI,

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1 Frontier, Global Crossing, U.S. West, Touch America, etc.

2 We have created collocation cages where individual
3 tenants can locate their equipment and power that equipment
4 up with a secure, environmentally controlled atmosphere. We
5 also have what we call a common location area, where smaller
6 providers like E-Commerce businesses, small Internet service
7 providers, etc., can locate their equipment on single or
8 individual racks or half racks of equipment, all with
9 access, again, to back-up power and the various
10 telecommunications networks that terminate to the hotel.

11 We also provide technical assistance, installation
12 of equipment, maintenance, monitoring, troubleshooting, and
13 repair; and we also provide sales and leasing of a conduit
14 and duct system throughout the Granite Tower facility, which
15 involves drilling through three-foot concrete floors for all
16 ten stories of the building up onto the roof so that those
17 folks who are interested in wireless communications in
18 Billings can also access our facility.

19 I've given you kind of a layout here. I know it's
20 difficult to read. It's difficult to read in Montana, so I
21 know it's difficult in Wyoming, but it just gives you kind
22 of a sense -- in the upper right-hand corner, we have a
23 power distribution room. That leads down to -- through
24 conduits to a generator located outside the building.

25 Each of those little cage locations is a major

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1 telecommunications provider: Western Wireless, Vista,
2 VisionNet, MAIN. We've located a couple of ISPs there.
3 We're currently in negotiations with two companies that
4 we're hopeful will be locating with us soon. We've only
5 been operational since November and have been pretty
6 successful already. Our Board of Directors has authorized
7 us doubling the size of our fiber hotel in Billings.

8 Just a couple of final slides on some of the
9 challenges that we've seen. A big challenge, of course, is
10 cost recovery. As we roll out broadband services,
11 particularly DSL, the demand, frankly, has not kept pace
12 with the roll-out. A few customers want DSL-type services.
13 Many are simply not willing to pay the rates sufficient to
14 cover the costs, so we are in kind of a money-losing
15 situation -- not kind of a money-losing -- a money-losing
16 situation at this point rolling out broadband services, and
17 we're hopeful that demand will increase as people become
18 more familiar with the capabilities of the technology.

19 We're fighting a little bit against the wireless
20 perception. When we talk about costs with politicians,
21 regulators, other opinion-makers, we keep getting the same
22 responses that, you know, "Well, wireless is the obvious
23 answer to your cost problems. You don't have the lines to
24 maintain, etc."

25 Unfortunately, we've been in the wireless business

1 for quite some time in organizations like Sagebrush
2 Cellular, and we have PCS licenses and have -- we like the
3 technology, we intend to increase our participation in that
4 technology, but we're not aware of any business model that
5 makes any sense in the areas as rural as ours for a wireless
6 broadband solution.

7 We've looked at LMDS, we've looked at MMPS, we've
8 looked at low-power broadcast. I'm not sure there's
9 anything we haven't looked at other than putting up our own
10 satellite. But we don't see any business case for wireless
11 broadband in the near to immediate term.

12 And the final slide. Wireless distribution, the
13 challenge, of course, is the 18 kft limitation for DSL at
14 this point. Our solution to that has been to re-engineer
15 our networks and deploy our electronics far enough out to
16 bring our loops down to the 18kft limitation. That can be
17 expensive in many cases and is simply not feasible in every
18 case. We are seeing some light at the end of the tunnel,
19 however, in pushing DSL out further than the 18 kft limit,
20 and hopefully that will be available in the near term.

21 And then finally, wireline transport cost. I think
22 this was addressed a little bit by the previous panel. Our
23 opinions differ somewhat, I guess, from some of the
24 panelists. As I indicated, VisionNet already offers what we
25 consider network access points to the Internet backbone at a

1 level that is sufficient to meet our needs and VisionNet's
2 needs. We are aggregating our transport to bring costs
3 down, and they are going down steadily. Of course, they're
4 still not free.

5 With that I've probably taken more than my allotted
6 time, and I'll turn it over to -- back to the monitor, I
7 guess.

8 COMMISSIONER THOMPSON: Mr. Warnick, can you tell us
9 what the current status of broadband deployment is both
10 within the VisionNet network and the independent telephone
11 companies?

12 MR. WARNICK: Thank you, Nan. Mike went a little bit
13 over his time, so I'll be renting him some of mine. He'll
14 -- you'll see the bill later, Mike. I have a short
15 presentation.

16 I wanted to talk a little bit about the efforts
17 that VisionNet has made, and VisionNet's efforts have been
18 in coordination with the independent telephone companies
19 because we are owned by the independents, and the services
20 that we deliver are in cooperation with the independents.

21 We actually began delivering broadband services in
22 1995 with our video conferencing systems. We deliver those
23 in every case at T-1 rates, full motion, compressed video.
24 We began offering rural access; and in lots of cases, we
25 offered the first local access in much of rural Montana in

1 1995. We've been offering dedicated broadband access of 56K
2 up to T-1s, and including multiple T-1s, since 1996.

3 We have been going ADSL commercially since 1999. I
4 had an ADSL connection in 1998, and I've been happily using
5 it since then. The telephone companies have been delivering
6 wireless data since 1999, and we just became involved in the
7 telemedicine business in 2000. We're just completing five
8 sites in the northeastern corner of the state.

9 The question comes up, What is rural? What does
10 rural mean? One of the major hurdles that we've seen in the
11 deployment of broadband is the geographic nature of this
12 state, the demographic nature of this state. Rural is a --
13 it can be a buzz word. We have heard "rural" referred to
14 population centers as high as 10,00 people, as high as
15 20,000, 30,000 people, and that makes sense when you're
16 comparing those sizes of population to major population
17 centers, but in this state that doesn't make sense.

18 We are delivering broadband to places like Outlook
19 and Flaxville, a combined population probably of about 100
20 families. We have a situation between Outlook and Flaxville
21 where the schools, with the level of funding they get, have
22 a difficult time meeting state curriculum standards. They
23 built a broadband connection when school starts in the
24 morning, take it down at night, and share teachers all day
25 long. We have solved some problems in that way.

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1 The technical issues that the rural nature of the
2 state drive, of course, some of them are obvious. The
3 distances that we have to cover, the nature of the outside
4 plant that we're dealing with.

5 The next slide is an indication of what some of our
6 service area looks like. This is actually taken outside of
7 the doorway of one of our COs. We have ATM equipment
8 mounted here in this CO. It's a little building, and I'm
9 standing right in front of it when I took the picture.
10 There is actually OC192 right there in that building.

11 COMMISSIONER ROWE: Central office space is affordable.

12 MR. WARNICK: Office space is an issue here. We have
13 an OC48 in that facility, we have ATM services there. The
14 issue with the 18 kft limitation for ADSL, when we're
15 considering it in relation to this type of area, we have one
16 subscriber within 18 kft of this facility.

17 The next slide. Some of the hurdles that we faced
18 in our deployment efforts -- and we've been in the business
19 for quite a while -- the major hurdle we believe is the lack
20 of mature technologies, broadband and with any kind of
21 technology we can speak of, whether it's ADSL, whether it's
22 dedicated circuits, whether it's cable modems. There are --
23 standards exist, but there are competing interpretations of
24 standards. There are difficulties in combining services
25 with employing combinations of different vendors' equipment.

1 We've worked through those problems from the start-up of our
2 system, and we still work with them.

3 Another major problem is that the existing
4 technology is designed -- broadband technology is designed
5 for an urban environment. We are not aware of any equipment
6 that is designed particularly for our environment, so we
7 adapt and modify the deployment of technologies to make it
8 work for us.

9 The obvious hurdle that we face is the local loop
10 distances. Often the quality of the local loop, we see a
11 lot of variable loop quality. The outside plant that the
12 independent telephone companies have put in place has
13 generally been placed in the ground with a higher standard
14 than some of the service areas that we have acquired, and so
15 there's a lot of variation there.

16 One of the advantages that we've had is the
17 decision that the independents have made. It's been
18 beneficial to us to employ digital loop carrier facilities,
19 place those outside of the seal. We expand considerably the
20 18 kft distance. We believe that we are on average of the
21 telephone companies we deal with, we're within reach of 60
22 to 65 percent of the subscribers with the carrier facilities
23 we have in place now.

24 Another advantage that we have is the cooperative
25 use of the transport facilities, the ability of the

1 independents to share use to connect fiber -- high-bandwidth
2 fiber. Generally, we're connecting on an OC48 level, and in
3 share use we share the transport facility and share the
4 backhaul to help average the cost for delivering the
5 services to all of our customers.

6 I think that some of our successes are obvious.
7 We're sitting in one example of one of the things that we do
8 very successfully here. We could point to a number of
9 things that we do. We offer many dedicated connections to
10 schools, hospitals, banks, and businesses in general. We
11 offer a pretty reasonable local loop pricing because we are
12 -- we exist -- the network is close to a lot of the rural
13 areas. We are growing in the urban areas.

14 We offer some of the advantages to the educational
15 environment, as I mentioned before. In the communities that
16 we service, the school is often the center of the community,
17 and we feel that the service to the -- we feel that the
18 service to the schools is also a service to the communities,
19 and we believe that that is -- that is the key to our future
20 success to the community development, and etc., with all of
21 the services that we deliver: ADSL, the local Internet
22 dial-up services, video conferencing, and data transport;
23 and I'll conclude there.

24 COMMISSIONER THOMPSON: Thank you. We'll now hear from
25 our third panelist, Geoff Feiss, general manager of the

1 Montana Telecommunications Association.

2 Mr. Feiss, can you please summarize the status of
3 services provided by the Montana independent
4 telecommunications companies represented by your
5 organization?

6 MR. FEISS: Thank you. I'm going to blast through the
7 first few slides and probably stop before I get to the last
8 slides because they pertain to potential questions later.

9 I wanted to welcome Commissioner Thompson to
10 Montana, almost as rural as Alaska, and there's just a quick
11 thing about the rural telcos of Montana on the third slide.

12 The independent rural telcos of Montana represent
13 or serve about 80 percent of the land mass in Montana, under
14 20,000 square miles or so, and we serve 31.5 percent of the
15 access lines in Montana. Those are way above the national
16 average even for rural telcos. We serve fewer than three
17 access lines per mile. The cooperatives, who are spread out
18 across the state, serve less than two access lines per mile,
19 and 70-mile loops are not unheard of, especially out where
20 Ron took the picture of the central office.

21 Despite those disadvantages, I suppose, of distance
22 and density, we have over 5,000 miles of fiber in the state,
23 90 rural telecommunications video conference sites. That
24 includes the sites that VisionNet has. And you might have
25 noticed on the VisionNet map they hold the southeastern

1 corner of Montana. That's filled by Mid Rivers and Range,
2 who also operate full-motion video sites that are connected
3 by fiber to VisionNet and straight into Billings.

4 We are 100 percent dial-up accessible to the
5 Internet. An interesting point from a national perspective
6 is that 78 percent of our lines are residential, leaving the
7 rest to do business. In more densely populated parts of the
8 country, business revenues are a higher margin -- well, they
9 were for us too -- than residential lines. That's where
10 your profit margins come from. Our average business has two
11 lines, and there are probably many businesses that are
12 operating on residential lines, which means that our margins
13 are cut short.

14 Despite that, 80 percent of the state lives within
15 50 miles of a DS3 Internet PoP, and I've got a couple of
16 maps that will show that. You can just blast through the
17 next three maps. There's Montana with DS3 Internet PoPs
18 throughout the state. And again, there is an OC48 in the
19 southeast corner of the state that connects other sites.

20 The next map shows the country. We are light blue,
21 which is pretty darn good for a state that is as big and not
22 populated as we are. More than 80 percent live within 50
23 miles of a DS3 PoP onto the Internet. The last one shows
24 the country, and Montana has a lot of stars on it again for
25 our state.

1 Broadband deployment. I've done a survey of my
2 members, and I'll just try to go through that quickly.
3 MECCA says that 65 percent of the U.S. rural LEC exchanges
4 will be DSL capable by 2002. As Ron points out, 65 percent
5 for Montana being DSL capable is certainly within the realm
6 of possibility.

7 I'll just highlight a couple of companies.
8 Blackfoot, 60 percent DSL capable by year-end. I just did a
9 number of towns. The "NA" means Native American reservation
10 being served in those towns. Interbelt would be 98 percent
11 DSL capable. 3-Rivers, currently offering in several towns,
12 is DSL capable in virtually all the towns it serves.
13 Century has announced a \$1.3M upgrade with 40 sites in the
14 Flathead Valley, including Polson, another town -- Native
15 American town. Mid Rivers has two plans. One is DSL, the
16 other is cable modem service.

17 Lincoln, while not DSL -- this is a great story --
18 they have installed a self-powered digital loop carrier 15
19 miles away from their switch to a community of eight that
20 don't have electricity, but they will have class services.
21 They'll get call forwarding and speed dialing and all the
22 stuff that they want.

23 Broadband is more than DSL, as has been pointed
24 out. We have T-1 and T-3 on demand. Almost all my
25 companies have DS1 up to DS3s.

1 I think the cost -- there was a MECCA study that
2 just was released today on broadband costs, and it shows,
3 obviously, the further away you are from a central office
4 the more expense you're going to spend on a per line basis.

5 My field of dreams slide shows that, for instance,
6 Mid Rivers can reach 1,500 consumers with its cable modem
7 service. They have 20 subscribers. 3-Rivers also has
8 service in Belt, has one in Big Sky, five -- you get the
9 picture that we're building infrastructure and facilities
10 and services ahead of the market, which is right where you
11 want to be. I think I'll stop there.

12 COMMISSIONER THOMPSON: Thank you. It's the time for
13 questions. And to put this panel in perspective, we'll be
14 hearing -- these gentlemen are from independent telephone
15 companies. We'll be hearing from U.S. West and others in
16 Cheyenne for the other part of the hearing tomorrow. Or I
17 guess it's Friday.

18 COMMISSIONER ROWE: Friday morning.

19 COMMISSIONER THOMPSON: Friday. I would like to open
20 for questions. Since you extended me the courtesy of going
21 first on your panel, I'll do the same to you, unless you
22 wanted to punt.

23 COMMISSIONER ROWE: Your eight members getting class
24 services outside of Lincoln that don't have off-the-grid
25 power, I assume the handsets are illuminated; is that right?

1 MR. FEISS: Good point.

2 COMMISSIONER ROWE: How far ahead of the market do you
3 want to be? When does the leading edge become the bleeding
4 edge; and we're back to the economic development, community
5 development side of it?

6 You're building this because you think you're going
7 to make money on it, but also because you think there is
8 some value to network utilization. What are your members
9 doing or what should we be doing to get more people on line?

10 MR. STRAND: I'll take a first crack at it. I think
11 we're already on the bleeding edge of this technology, to be
12 honest with you. One of the nice things about cooperatives,
13 of course, is that we don't have to be quite as bottom line
14 oriented as a stock company. The way a cooperative is
15 structured is the customers own the company, they elect the
16 trustees on the Board of Directors. So as these trustees
17 come to their board meetings, they're getting fervent
18 requests from their neighbors to roll out DSL services, and
19 our roll-out of DSL services is as much in response to that
20 as anything else.

21 We're also betting that folks experienced with DSL
22 technology and high-speed Internet access -- our
23 understanding is once you have it, you never go back. We're
24 hoping that the folks that do have the service will begin to
25 tell their neighbors about the experience and the demand

1 will grow accordingly.

2 MR. WARNICK: I'll try my hand at tackling that as
3 well. One of the issues for us is that we are content
4 providers as well as bandwidth providers, and the content
5 that we would like to provide, would most likely provide, is
6 of a high bandwidth nature; and until we get the customer
7 base that we have capable of pulling, for example, a high
8 bandwidth video stream, then we can't deliver that content;
9 and so for us, it's a chicken and egg problem. You need to
10 have the facility in place to get the customers. You need
11 to have the customers to afford the facility.

12 We think that having a facility in place, the
13 customers will come because of the services that we can
14 offer, that everybody can offer on a broadband basis --
15 broadband-based issues.

16 MR. FEISS: That's kind of an economic development
17 question, and it's interesting that economic development and
18 telecommunications are so integrally tied. We think we're
19 ahead. If economic development comes, we've got the
20 infrastructure waiting. Bring us the business, we'll bring
21 you the telecommunications. It's waiting in place.

22 On the economic development equation, it's
23 important to notice -- or to note that the
24 telecommunications infrastructure is only one, albeit
25 important, factor; and I did have a slide on that. People

1 here can have my paper copies, and it's one of those "what
2 works" slides.

3 Demand, capitalism, is key, as Ron and Mike and the
4 panel before have mentioned. There are a variety of things
5 we can and should and are doing to increase demand. One is
6 content that attracts people to telecommunications. Another
7 is people, of which we don't have a whole lot. Another is
8 economic activity, commerce, income, and then importantly,
9 educated consumers.

10 There probably is -- I'm sure there is the
11 potential to use telecommunications more by existing
12 businesses and residences in Montana than it currently is
13 being used. Case in point is that probably less than a
14 quarter of our population is using just dial-up Internet
15 today, and here we are delivering broadband, and we don't
16 even have dial-ups yet. So we need to educate the
17 workforce, we need to educate the consumers. They can save
18 money, save time using telecommunications, and there is
19 still a lot of education to do.

20 COMMISSIONER THOMPSON: I asked the last panel what the
21 most significant regulatory impediment to delivering
22 broadband services was, and I want to ask you the same
23 question from a different angle, which is: What is the one
24 thing that regulators have done that has been most
25 successful in encouraging or facilitating deployment? What

1 should we do more of?

2 MR. STRAND: Well, I think from our perspective the
3 thing to keep in mind is that it's great that we're
4 deploying these broadband services, it's great that we're
5 able to put together these consortia like Skyland, like
6 VisionNet, like MAIN, but that doesn't alleviate us of our
7 fundamental obligation to deliver basic telecommunications
8 services. And the programs that have worked very well
9 historically are the universal service fund program --
10 programs, I guess, and the access programs.

11 And I think probably what both the state
12 commissions and through NARUC have done and what the FCC
13 has done best for us so far is to leave those programs
14 relatively untouched in terms of reforming them.

15 The reasons that we have resources to engage in
16 these broadband deployment efforts is we've pooled resources
17 we have left over from providing basic broadband service.
18 If those programs are changed such that our abilities to
19 draw from them to maintain basic service bandwidth have been
20 reduced, then we're not going to have the resource to
21 continue to roll out broadband services. So that would be
22 my response.

23 MR. WARNICK: I'm going to pass that on to Geoff. I
24 don't think that that was a technical question.

25 MR. FEISS: I would echo what Mike says. I can't

1 stress enough the importance of universal service to making
2 possible what we have today and continuing to provide for
3 the investments that are possible in the future.

4 There are -- since your question was a positive one
5 and not what can be done to help, I'll sort of skim over
6 some of that; but there are some threats to universal
7 services in the form of caps and portability, and other
8 technical regulatory aspects with regard to implementing
9 universal service provisions that we need to address if we
10 are to continue investing in these high-cost rural areas.

11 The other -- the flip side of the coin, or I like
12 to think the complimentary part of the Telecommunications
13 Act, in addition to the universal service, supporting
14 investment, and high cost to states like Alaska and Montana,
15 is competition. With competition, Mid Rivers Co-op in the
16 eastern part of the state, for example, has been able to
17 increase the tax base by \$6M, employ 20 million people -- 20
18 people, and save consumers \$600,000 at the same time.

19 So the competition provisions of the
20 Telecommunications Act enable services to be provided either
21 where they aren't or where better service or quality or
22 consumer technology choices can be provided. So you have
23 complimentary goals, and they work, and I would encourage
24 the FCC and state commissions to ensure that the
25 Telecommunications Act continues to work.

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1 COMMISSIONER THOMPSON: I will now go to the other
2 sites and see if there's any questions. First from
3 Billings.

4 BILLINGS: There are no questions from Billings.

5 COMMISSIONER THOMPSON: What about Glasgow?

6 GLASGOW: Yes, Commissioner Thompson.

7 COMMISSIONER THOMPSON: Yes. We can hear you very
8 well.

9 GLASGOW: Can you hear us well here?

10 COMMISSIONER THOMPSON: Yes. And could you please
11 identify who you are and who you're associated with for the
12 record?

13 MR. OXFORD: I'm Ron Oxford with the Nemont Telephone
14 Cooperative of Scobey. My question to the panel,
15 Commissioner Thompson -- there was a lot of discussion from
16 the previous panel in regard to government working with
17 industry or even maybe individually getting involved in the
18 deployment of advanced technology. My question to the panel
19 is this: What do you view as advantageous to this kind of
20 an effort; and is there a point where it might not be
21 advantageous or maybe even create an odd-level playing field
22 out there within the industry?

23 COMMISSIONER THOMPSON: Thank you. I'll pass the mike,
24 but first I want to know if you've seen any impact on those
25 20 million people that are in your part of the state?

1 MR. OXFORD: We need more.

2 MR. STRAND: I think with regard to state involvement
3 in telecommunications, we've seen the Summitnet project.
4 The bid was recently awarded to U.S. West. We like that
5 model. Of course, we would have liked to have won that bid
6 ourselves on the independent side. I don't think we were
7 ace'd out by very much on that bid, but our preference would
8 be that the State, as the largest user of telecommunications
9 services, turn to private industry for solutions whenever
10 possible.

11 As Geoff Feiss has indicated, we have little enough
12 demand in the state as it is without the State turning to
13 itself for provision of telecommunications services. So I
14 think that would be my main response to that question.

15 MR. WARNICK: The issue that occurs to me as far as
16 cooperative efforts between public sectors and private
17 sectors and even between different entities in the private
18 sector is while there are competitive issues and while there
19 are territorial issues as well that won't easily go away,
20 there are some basic necessities as far as the technical
21 nature of a network exists that require a certain amount of
22 cooperation. And I think the ability to put the levels of
23 cooperation in place that allow us to do the things like
24 peering, peering of data, aggregation of data, and that sort
25 of thing, are beneficial; and the efforts need to be put

1 together in such a way that we maintain a level playing
2 field on all the entities, that we maintain competitive
3 stances, and that sort of thing, but still provide the
4 service to the consumer, which should be everybody's goal.

5 MR. FEISS: I appreciate the question, and I'm probably
6 the most vociferously private-sector promotor, as I have
7 stuck my foot in my mouth many times, and I'll be glad to do
8 it again.

9 First of all, I think Mike Strand was correct.
10 Demand aggregation is one way to encourage development and
11 the provision of telecommunications services. That said,
12 state government or local governments or other large users
13 have a lot of power in creating demand, and that power is
14 well used, and I think some of that RFP is a good model in
15 that the State describes its needs and industry responds
16 with a private solution.

17 I am concerned whenever I hear public-private
18 partnerships because partnering with the public involves a
19 whole lot of double-edged swords, including taxpayer money
20 and bonding authority; and then you have the potential to
21 create a top-down solution, where the solution becomes more
22 important than service to the customer, and you get stuck on
23 technologies which may or may not be appropriate. Then you
24 create for yourself a political black hole, where once the
25 program is started it has a life of its own.

1 I love to use the state of Iowa as my poster child.
2 They spend \$500M on a state network and are spending \$50M a
3 year maintaining that network. It's ten years old, nobody
4 likes it, and now they're trying to sell it to the public.
5 That's obviously an incentive not to invest, if you're a
6 private enterprise, in many telecommunications services, and
7 it discourages such investments. It also takes revenues out
8 of the tax base. So that's the elephant you're going to bed
9 with when you have a state public-private partnership. So I
10 just -- I'm always afraid to go to bed with an elephant,
11 although elephants are pretty good sometimes.

12 COMMISSIONER THOMPSON: What about Pablo, do we have
13 questions from Pablo?

14 MR. WOLCHECK: Yeah, I'm Lawrence Wolcheck of
15 Constitution Telephone, and I notice there were comments
16 made about getting the word out about broadband technology;
17 and in Hot Springs we've had ADSL for two years, and we're
18 still waiting for them to come. Cost is the main thing.
19 People don't want to pay the extra prices for that. We're
20 also probably one of the cheapest, lowest cost for the
21 customer, too, in the state on DSL.

22 COMMISSIONER THOMPSON: I would ask you to please
23 repeat your last name, and then I'll pass the mike down to
24 the panelist to answer.

25 MR. WOLCHECK: Wolcheck. Wolcheck.

1 MR. STRAND: I guess I interpret that more as a comment
2 than a question, but I would agree with the comment. You
3 know, Montana is primarily an agricultural-based state, and
4 what you find is in an area with ten farmers or ranchers one
5 may be doing quite well and the other nine not so well. The
6 one that's doing well can see opportunities to use the
7 Internet, for example, to help his business and is willing
8 to pay the cost of DSL; the other nine are too busy spending
9 their money on tractor parts and fertilizer and pesticides,
10 etc., and don't have an additional \$40, \$50, \$60 a month to
11 spend for DSL, and it's a real concern for us.

12 So it's something I think that the policymakers
13 have to keep in mind as they whip us forward into deploying
14 broadband. We're doing it as fast as we can, but please be
15 aware that we are on the bleeding edge here, and the demand
16 is slow to develop for these services.

17 COMMISSIONER THOMPSON: Are there any questions from
18 Cheyenne? No? Then I'll offer --

19 CHEYENNE: This is Steve.

20 COMMISSIONER THOMPSON: Hi, Steve.

21 CHEYENNE: Nan?

22 COMMISSIONER THOMPSON: Yes.

23 CHEYENNE: This is Steve in Cheyenne. I have one. I
24 didn't quite catch the comment by Geoff Feiss regarding the
25 advantages of having competition in some of these rural

1 areas, and I guess I'm intrigued by that comment a little
2 bit because it seems that usually I hear there is not enough
3 demand there already, and if we have competitive entry,
4 we're diluting the market for the providers that are already
5 there. So I'd like Mr. Feiss to follow up on his comments,
6 if he would.

7 MR. FEISS: I'd be glad to. The example I cited was
8 Mid Rivers Telephone Cooperative, whose service territory is
9 larger than the state of West Virginia with fewer than
10 15,000 customers. They have entered the towns of Terry,
11 Glendive, Wibaux, and Sidney in competition with U.S. West,
12 and they've done that without universal service funding, of
13 course, privately financed through other financial
14 institutions, primarily to provide a service which their
15 customers wanted. And it's expensive, but they would not
16 have been able to do that without the 251 provision of the
17 Telecommunications Act.

18 So there are, I suppose, you know -- it all depends
19 on how small you go. I mean, Terry, Glendive, Sidney, and
20 Wibaux are metropolises if you represent a territory that's
21 larger than the state of West Virginia. Due the fact that
22 they have a silo and a railroad station, there is enough
23 reason for a business to make a small business case out of
24 it. They're not making a lot of money, and in many cases
25 they're not making any money, but they're providing a

1 service and a commitment to their customers, and they sure
2 hope to be making some money.

3 MR. STRAND: If I could just add a little. I'd like to
4 just add a little bit to that. I think Geoff makes a good
5 point that several of the exchanges that Mid Rivers is
6 targeting are metropolises by our standards. The five
7 companies that I represent, their largest exchange is
8 Glasgow, about 2,000 lines, and that's staggeringly large by
9 our standards.

10 I would agree with the commenter in Wyoming that in
11 most rural areas that I'm familiar with it's very difficult
12 to make a case for multiple providers, and I would encourage
13 the state commissions and the FCC to be particularly
14 diligent when looking at requests for ETC designation for
15 multiple carriers in rural areas, is that the folks that are
16 requesting that designation are really disserving the public
17 interest by siphoning support dollars away from the
18 incumbent.

19 COMMISSIONER THOMPSON: It's an interesting question.
20 It's one we face back home in Alaska too.

21 I need to offer the opportunity to the folks in
22 this room to ask questions of this panel, even though I've
23 been waved down by the very polite Jay Driscoll, and I see a
24 hand back there. Do you need to speak into the mike so the
25 folks on the other side can hear you?

1 MR. WARNICK: There's a mike on the table right there
2 by him.

3 MR. PRESTON: Does that work? Can the people in the
4 other sites hear me?

5 BILLINGS: Yes, we can.

6 WYOMING: Yes.

7 PABLO: Okay.

8 MR. PRESTON: My name is Jay Preston. I'm president of
9 Ronan Telephone Company in Ronan, and I'm going to direct
10 this question to both Mike and Jeff regarding competition,
11 again, in rural areas.

12 I understand that Mid Rivers competes with U.S.
13 West in the towns there, but I was wondering what Mid
14 Rivers' reaction would be if they were asked to provide
15 reciprocal -- local reciprocal compensation for competition
16 in their areas; say, in the circle for instance?

17 MR. FEISS: The circle is -- never mind. I was going
18 to say the circle was the headquarters of Mid Rivers; and if
19 competitors were to come in, there is nothing preventing
20 Mid Rivers from allowing that to happen.

21 MR. PRESTON: The question was, Would the members of
22 the Montana Telecommunications Association, being dependent
23 on access charges for the vast majority of their income, in
24 addition to the universal service fund, be willing to
25 provide this exact same service under a reciprocal

1 compensation scheme where the compensation is essentially
2 zero? That's my question.

3 MR. FEISS: I'm not sure I understand the compensation
4 portion of that. Reciprocal compensation is compensation,
5 as I understand it. I'm not an expert on recip comp; but as
6 I understand it, you get compensated for the services you
7 provide.

8 Back to Mike Strand's point. There are a number of
9 provisions in the Telecommunications Act that ensure that
10 competition in those remote parts of the country is in the
11 public interest and is otherwise fair. Assuming that you're
12 speaking of a hypothetical where those standards would be
13 met, then reciprocal compensation would be a negotiated
14 factor in those conditions.

15 MR. STRAND: From our perspective, the question is
16 somewhat hypothetical in nature. We have not -- none of my
17 members have competed through the organization with any
18 other rural telephone companies or with U.S. West for local
19 service.

20 As you're aware, Jay, there are mechanisms set
21 forth in the Telecommunications Act for how someone would
22 request reciprocal compensation from us. Whether we would
23 try to assert our rural exemptions to that, I don't know
24 until we receive one. I would guess that we would take a
25 hard look at being willing to do that.

1 But like I say, we're not engaged in competition
2 with our rural neighbors. Am I saying that we never will?
3 I guess I don't know. We're not inclined to, but it's
4 certainly a possibility. It depends on how the marketplace
5 is. It depends on if there are changes to the support
6 mechanisms that reduce our revenue streams, that make it
7 more difficult for us to offer high-quality service. But
8 like I say, at this point it's kind of a hypothetical
9 question for us.

10 MR. PRESTON: It's not a hypothetical question in
11 Ronan. There's been a case going on there between Blackfoot
12 and Ronan for almost two years now revolving around that
13 question.

14 To follow up on Geoff's comment. He claims that
15 Mid Rivers is competing with U.S. West in Glendive, Terry,
16 Sidney, etc., and that they do not receive universal service
17 funding. Well, I would challenge that question.

18 Mid Rivers receives a huge amount of universal
19 service funding, and it seems obvious to me that that
20 universal service funding is supporting the competitive
21 initiatives of Mid Rivers and many other cooperatives; and
22 to the extent it is, it's being misused. It's being used to
23 support urban services, and it's intended to serve rural
24 services, and I think that is a problem which doesn't look
25 to me like very many people are willing to even acknowledge,

1 let alone face up to.

2 MR. STRAND: Well, you know -- and I'll let Geoff speak
3 for the companies he represents. Blackfoot and Mid Rivers
4 are not in my association; and as those of us who are in the
5 industry are well aware, there are pretty strict accounting
6 rules for how costs are to be reported to MECCA for members
7 of a service company and for access pools. A dollar is a
8 dollar, it's functional, it can be spent anywhere; but the
9 plan and simple fact of the matter is that the amounts we
10 receive out of those pools and from those support mechanisms
11 are based on the cost-provided service within the incumbent
12 service area.

13 I don't believe that you're allowed to include your
14 costs for competitive operations in the costs that you
15 report to these agencies. Again, if you choose to spend a
16 dollar from -- that's supposed to support basic service in
17 your incumbent area in your competitive area, that's one
18 less dollar you have to maintain affordable rates in your
19 incumbent area. That would be the best response that I have
20 to that.

21 MR. PRESTON: I couldn't have said it better myself,
22 Mike.

23 MR. FEISS: I have nothing to add. You can't use
24 universal service funds for activities outside of your study
25 area. It's just that simple. There are so many accounting

1 rules and audits that ensure that that is the case.

2 In the case of Blackfoot Communications competing
3 against Ronan, that is a separate commercial subsidiary with
4 separate books and a separate operation, so that further --
5 even further removes it from any specter of universal
6 service support.

7 COMMISSIONER THOMPSON: It would be nice to allow the
8 debate to continue, but we need to take a break to get some
9 fresh air and allow the next panel to come up.

10 I want to remind again the folks in the audience,
11 if you wish to make a public statement at the end of the
12 next panel, Bonnie Lorang in the pink shirt has the sign-up
13 sheets, and please sign up.

14 (Off the record.)

15 COMMISSIONER ROWE: As we get situated, if we can go
16 through the other locations to see if there is anyone who
17 wants to speak during the final session. Let's go around.

18 Will anyone from Billings want to speak during the
19 final session? Billings?

20 BILLINGS: No. Thanks very much, Bob.

21 COMMISSIONER ROWE: Okay.

22 BILLINGS: Thanks alot.

23 COMMISSIONER ROWE: Thank you. Glasgow? Will anyone
24 from Glasgow want to speak during the final session? No?

25 (No audible response.)

1 COMMISSIONER ROWE: Pablo, will anyone from Pablo want
2 to speak? No? Okay.

3 (No audible response.)

4 COMMISSIONER ROWE: Cheyenne? Will anyone from
5 Cheyenne want to speak during the final session? No?

6 (No audible response.)

7 COMMISSIONER ROWE: Okay. We will do a check again
8 here at the end.

9 Well, this is -- of the three organized panels,
10 this is the final one. The first panel really focused on
11 big demand issues and some aggregation issues, talked about
12 ways that demand could attract supply in a sense. The
13 second panel was really our supply side panel; and as Nan
14 mentioned, that discussion will be expanded and
15 supplemented, then, on Friday in Cheyenne.

16 This is the demand side panel; and particularly,
17 it's the community-based demand side panel, and there's a
18 lot of very -- to me, very exciting things that we'll be
19 discussing here during this session.

20 So this is the demand side panel, a community-based
21 and non-profit demand side panel; and Our presenters are
22 going to be John Zauher, who is Director of Health
23 Informatics at St. Vincent's Hospital and Health Center in
24 Billings, who is really one of the leaders in the whole
25 field of rural telemedicine; and John has been a local

1 project manager and liason for collaborative tests and
2 development work with NASA on KA band and space shuttle and
3 telemedicine systems.

4 He has a total of 22 years of experience in
5 healthcare as a biomedical photographer and videographer,
6 training and development coordinator, audio and video
7 telecommunications supervisor. His current responsibilities
8 as Director of Health Informatics at St. Vincent's Hospital
9 include Telehealth, Audio/Visual, and Health Science Library
10 services.

11 Something we can really be proud of in Montana. I
12 don't think there is a better -- I'm not aware of a better
13 telemedicine program in rural America anywhere, and it's
14 encouraging to see your program get the kind of attention
15 that it deserves and it finally is receiving.

16 Nellie Bandelier is the Project Director for
17 Dillon-Net based in Dillon, Montana. Nellie is a writer and
18 a teacher with a master's of science in education, a
19 graduate of Purdue University with honors, and a member of
20 Delta Kappa Gamma. She also has three children and four
21 grandchildren, and she's lived in Dillon for over 30 years.

22 Dillon was one of the first community network
23 organizations in Montana and is really kind of a flagship
24 around the country.

25 And then next, Larry Wetsit is Customer Affairs

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1 Manager with Nemont Telephone Cooperative based in Scobey;
2 but I know from trying to reach him on his cell phone, based
3 in Scobey, but covering an awful lot of miles all over
4 eastern Montana. And his responsibilities for the eight
5 years he's been there included marketing, public relations,
6 Native American relations for Nemont and its subsidiary
7 companies: Project, Valley, and Nemont Communications.

8 Mr. Wetsit has also been the Tribal Chairman of the
9 Fort Peck, Assinboine, and Sioux Tribes; Tribal Minerals
10 Director, Tribal Tax Administrator, both for the Fort Peck
11 Tribes. He's chairman of the board for A&S Tribal
12 Industries, and is a member of the Fort Peck Community
13 College Board of Directors.

14 And Frank Fifield is the systems administrator for
15 the KootenNet in Libby. We've heard some discussion about
16 the particular situation already in Lincoln County in terms
17 of external access from Libby and Troy out.

18 Frank is a native of Troy, which is just a few
19 miles up the road from Libby, only 18 miles up the road, and
20 he's a native of the area now served by the KootenNet. Frank
21 attended the University of Great Falls; significantly,
22 mostly over the university's telecommunications distance
23 learning program. He's been with the KootenNet since June of
24 1998. He's currently the systems administrator.

25 I talk a lot about Lincoln County as a place where

1 there are some real challenges, but where the community has
2 come together in a unique way. They were too busy to wait
3 around for the grants to come. They just got out and did
4 things themselves, and I'm looking forward to Frank telling
5 us about that.

6 Let's start with John. Could you briefly tell us
7 what St. Vincent's Partners in Health Telemedicine Network
8 in Montana is, talk about its demographics, its successes,
9 and some of the challenges that you've encountered too?

10 MR. ZAUHER: Thanks, Bob, Nan. I want to thank the
11 Montana Public Service Commission and the FCC
12 representatives for the opportunity to speak today, and I
13 think it genuinely is an opportunity to share our
14 perspective from the end user's point of view and content
15 providers. So if you'd start with the first slide.

16 I'm talking in particular about the Partners in
17 Health Telemedicine Network, which is based out of St.
18 Vincent's Hospital in Billings, Montana; but I also will
19 talk briefly about the Montana Healthcare Telecommunications
20 Alliance, which is another important cooperative venture
21 within the state, and I'll share a little bit of information
22 about that.

23 PHTN -- and if we can move to the next slide --
24 encompasses a partnership with Indian Health Services and is
25 based through the Billings area office, and it took

1 advantage of many of the federal grant opportunities that
2 are available now to provide telehealth and telemedicine
3 services to rural and frontier locations in Montana. If
4 you'd move to the next slide.

5 Some of the demographics that we're dealing with
6 when we deploy these types of systems -- and it may be
7 difficult to read some of these figures, but what I will
8 share with you are the important ones, and that's -- this is
9 from our demographic information that we provided on the TF
10 grant application, and it shows the population and square
11 miles for Yellowstone County, the United States, Montana,
12 Big Horn, and goes down to several counties that we are
13 involved in deploying sites at.

14 And then it also shows an important figure, which
15 is the population density; and in the sites that we are
16 locating our systems in, we are dealing with population
17 densities of anywhere from 1.6 to 4.6 per square mile, and
18 that's an important figure to keep in mind. We'll move to
19 the next slide.

20 Another demographic issue that we are dealing with
21 are the -- and it's been mentioned by other panelists as
22 well -- is the extreme distances. The IHS facility up in
23 Browning, from the Billings area office is 349 miles, to
24 Lame Deer is 96 miles, which is the closest of the
25 facilities that we're dealing with. Move to the next slide.